



3. Defendants refused to produce their witnesses for depositions and have insisted that that Plaintiff's deposition must now be taken first, even though they had never asked for it before.

4. Discovery may be obtained about any matter that is not privileged and that is both relevant to any party's claim or defense and proportional to the needs of the case. Fed. R. Civ. P. 26(b)(1). These witnesses are necessary to designate experts and prepare for trial. Discovery is ongoing.

5. Generally, the person noticing the deposition selects the time and place of the deposition. Federal Rule of Civil Procedure 30(b)(1). Since the witnesses who are in the custody and control of Defendant, justice requires that they be compelled to account and be questioned on their knowledge of the underlying facts.

For these reasons, Plaintiffs asks the Court to compel the depositions of Jorge Estrada, Juan Garcia and all of the employees and other present the day the day Juan Estrada was injured on a date and time certain in Laredo, Texas on date to occur before the deposition of Plaintiff as Plaintiff have been seeking these depositions since February 15, 2019. Plaintiff asks the court to grant further to relief to Plaintiff as justice requires.

Respectfully submitted,

BY: /s/ Ronald Rodriguez  
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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

The preceding document was served on counsel of record through the court's electronic document management system on this May 7, 2019.

/s/ Ronald Rodriguez  
Ronald Rodriguez

**CERTIFICATE OF CONFERENCE**

I certified that I conferred with defendants' counsel to schedule the depositions and resolve this matter without court intervention, but an agreement could not be reached.

/s/ Ronald Rodriguez  
Ronald Rodriguez

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

Juan Castillo

*Plaintiff,*

v.

JLG Industries, Inc., Oshkosh Corporation and  
Jorge Estrada

*Defendants*

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Case No. 5:18-cv-00041

ORDER

After considering Plaintiff's Motion to Compel Depositions, Defendants' Motion the Court compel the depositions of Jorge Estrada, Juan Garcia and all the employees and other present the day the day Juan Estrada was injured on a date and time certain in Laredo, Texas on date to occur before the deposition of Plaintiff.

So ordered.

SIGNED on this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
PRESIDING JUDGE